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TC 1700

PATENT

Customer Number 22,852

Attorney Docket No. 7040.0083.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Marco NAHMIAS NANNI et al. )  
)  
Application Serial No. 09/843,227 ) Group Art Unit: 1733  
)  
Filed: April 27, 2001 ) Examiner: Johnstone, A.  
)  
For: TIRE, INCLUDING FIBER- )  
REINFORCED ELASTOMERIC )  
INTERMEDIATE LAYER )  
BETWEEN THE BELT STRUCTURE )  
AND TREAD BAND, AND )  
METHOD OF MAKING THE TIRE )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TRANSMITTAL LETTER**

The items checked below are attached:

☒ Response to Restriction Requirement (2 pages).

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: 

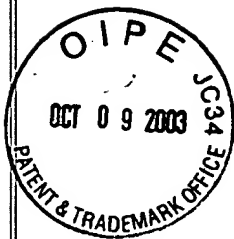
Lawrence F. Galvin  
Reg. No. 44,694

Dated: October 9, 2003

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Group Art Unit: 1733

Examiner: Johnstone, A.

Commissioner for Patents  
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Alexandria, VA 22313-1450

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

Applicants submit this Response to Restriction Requirement in reply to the Office Action mailed September 25, 2003, the period for response to which runs through October 25, 2003.

In the Office Action, the Examiner required restriction under 35 U.S.C. § 121 between: Group I, claims 51-89, characterized by the Examiner as drawn to a pneumatic tire whose fiber-reinforced elastomeric intermediate layer comprises cross-linking resin; Group II, claims 90-92, characterized by the Examiner as drawn to a pneumatic tire whose fiber-reinforced elastomeric intermediate layer comprises short fibers having a trunk portion with a ratio of length to diameter of about 20:1; and Group III, claims 14-16 and 25-50, characterized by the Examiner as drawn to a pneumatic tire linking Group I and Group II.

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Applicants provisionally elect, with traverse, to prosecute Group I, claims 51-89. Based on the Examiner's statements in the Office Action, Applicants understand that the Examiner intends to examine at least Groups I and III in response to this provisional election.

Regarding traverse of the restriction requirement, Applicants submit that the search and examination of this entire application can be made without serious burden, particularly since each of the three Groups is confined to the identical class (152) and subclass (209.4). As such, MPEP § 803, ¶ 2, requires that the Examiner examine this entire application on the merits.

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Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.



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